

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

McNEIL NUTRITIONALS, LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-69-GMS
)	
THE SUGAR ASSOCIATION, THE)	
AMALGAMATED SUGAR COMPANY,)	
AMERICAN CRYSTAL SUGAR COMPANY,)	
AMERICAN SUGAR CANE LEAGUE,)	
AMERICAN SUGAR REFINING, INC.,)	
ATLANTIC SUGAR ASSOCIATION,)	
HAWAIIAN SUGAR & TRANSPORTATION)	
COOPERATIVE, IMPERIAL SUGAR)	
COMPANY, MICHIGAN SUGAR COMPANY,)	
MINN-DAK FARMERS COOPERATIVE,)	
OKEELANTA CORPORATION, OSCEOLA)	
FARMS COMPANY, RIO GRANDE VALLEY)	
SUGAR GROWERS, INC., SOUTHERN)	
MINNESOTA BEET SUGAR COOPERATIVE,)	
SUGAR CANE GROWERS COOPERATIVE OF)	
FLORIDA, UNITED STATES SUGAR)	
CORPORATION, WESTERN SUGAR)	
COOPERATIVE, WYOMING SUGAR LLC,)	
AMERICAN SUGARBEET GROWERS)	
ASSOCIATION, and QORVIS)	
COMMUNICATIONS, LLC,)	
)	
Defendants.)	

NOTICE OF RULE 30(b)(6) DEPOSITIONS

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30(b)(6) of the Federal Rules of Civil Procedure, and the Court's Memorandum and Order dated April 29, 2005 in this action (D.I. 38), plaintiff McNeil Nutritionals, LLC (McNeil) will take the deposition upon oral examination of each of defendants The Amalgamated Sugar Co., American Crystal Sugar Co., American Sugarbeet Growers Association, American Sugar Cane League, American Sugar

Refining, Inc., Atlantic Sugar Association, Inc., Hawaiian Sugar & Transportation Coop., Imperial Sugar Co., Michigan Sugar Co., Minn-Dak Farmers Coop., Okeelanta Corp., Osceola Farms Co., Rio Grande Valley Sugar Growers, Inc., Southern Minnesota Beet Sugar Coop., Sugar Cane Growers Coop. of Florida, United States Sugar Corp., Western Sugar Coop., and Wyoming Sugar Co. concerning the subject matters set forth in Exhibit A to this notice, on mutually convenient dates for the parties to this action, before an officer qualified to administer oaths at the offices of Ashby & Geddes, 222 Delaware Avenue, 17th Floor Wilmington, Delaware 19801. The examination will continue from day to day until completed.

FURTHER, McNeil will take the deposition upon oral examination of each of defendants American Crystal Sugar Co., American Sugarbeet Growers Association, American Sugar Cane League, Atlantic Sugar Association, Inc., Hawaiian Sugar & Transportation Coop., Imperial Sugar Co., Michigan Sugar Co., Minn-Dak Farmers Coop., Osceola Farms Co., Rio Grande Valley Sugar Growers, Inc., Southern Minnesota Beet Sugar Coop., Sugar Cane Growers Coop. of Florida, Western Sugar Coop., and Wyoming Sugar Co. concerning the subject matters set forth in Exhibit B to this notice, on mutually convenient dates for the parties to this action, before an officer qualified to administer oaths at the offices of Ashby & Geddes, 222 Delaware Avenue, 17th Floor Wilmington, Delaware 19801. The examination will continue from day to day until completed.

Each Defendant shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, with the most knowledge of the subject matters set forth in Exhibits A and B to this notice, to appear for a deposition as set forth in this notice.

ASHBY & GEDDES

/s/ John G. Day

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Dated: May 11, 2005
157085.1

EXHIBIT A

DEFINITIONS

1. “You” or “your” refers to each of The Amalgamated Sugar Co., American Crystal Sugar Co., American Sugarbeet Growers Association American Sugar Cane League, American Sugar Refining, Inc., Atlantic Sugar Ass'n, Hawaiian Sugar & Transportation Coop., Imperial Sugar Co., Michigan Sugar Co., Minn-Dak Farmers Coop., Okeelanta Corp., Osceola Farms Co., Rio Grande Valley Sugar Growers, Inc., Southern Minnesota Beet Sugar Coop., Sugar Cane Growers Coop. of Florida, United States Sugar Corp., Western Sugar Coop., and Wyoming Sugar Co. separately and individually.

SUBJECT MATTERS

1. Any advertising or public relations campaign by or through the Sugar Association concerning Splenda, including, but not limited to, the decision to launch the website currently located at the web address www.truthaboutsplenda.com (“the Website”).
2. The conception, development, creation, and maintenance of the Website.
3. The funding, payment or reimbursement for the creation, development, and maintenance of the Website, whether individually or through the Sugar Association.
4. Communications concerning the Website.
5. Communications concerning Qorvis.
6. Formal or informal meetings, conference calls, or other events at which the Website was discussed.

EXHIBIT B

DEFINITIONS

1. You” or “your” refers to each of American Crystal Sugar Co., American Sugarbeet Growers Association, American Sugar Cane League, Atlantic Sugar Ass'n, Hawaiian Sugar & Transportation Coop., Imperial Sugar Co., Michigan Sugar Co., Minn-Dak Farmers Coop., Osceola Farms Co., Rio Grande Valley Sugar Growers, Inc., Southern Minnesota Beet Sugar Coop., Sugar Cane Growers Coop. of Florida, Western Sugar Coop., and Wyoming Sugar Co. separately and individually.

SUBJECT MATTERS

1. Meetings, trade shows, or any other event attended by you or on your behalf in Delaware.
2. Sales in Delaware of sugar grown, processed, refined, or distributed by you, including, but not limited to sales to wholesalers, retailers or consumers, whether directly or through joint venture partners or other intermediaries, over the last ten years.
3. Services provided by you in Delaware over the last ten years.
4. Nationwide marketing or advertising conducted by you or on your behalf.
5. Marketing or advertising conducted by you or on your behalf in Delaware.
6. Any officers, directors, agents, servants, employees, attorneys, accountants, corporate parents, wholly-owned subsidiaries or other persons acting on your behalf in Delaware over the last ten years.
7. All property owned, leased, rented, or used by you in Delaware.
8. Activities conducted in Delaware on any website owned or operated by you, including but not limited to documents concerning sales, solicitation of business, responses to requests for information, or collection of data from or on such website.
9. Any other contacts between you and Delaware.

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of May, 2005, the attached **NOTICE OF RULE 30(b)(6) DEPOSITIONS** was served upon the below-named counsel of record at the address and in the manner indicated:

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/s/ John G. Day

John G. Day